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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/108,463	07/01/1998	LANNY JOE MULLENS	GEO4142	2442

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MAURICE J JONES  
MOTOROLA INC  
INTELLECTUAL PROPERTY DEPT SUITE R3108  
P O BOX 10219  
SCOTTSDALE, AZ 852710219

EXAMINER

NGUYEN, TOAN D

ART UNIT PAPER NUMBER

2663

DATE MAILED: 12/05/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

CB

**Office Action Summary**

Application No.

09/108,463

Applicant(s)

MULLENS ET AL.

Examiner

Toan D Nguyen

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. Claims 21-27 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 21 line 4, "Internet" should be ---internet---.

In claim 21 line 9, it is unclear as to what is meant by "that is the destination for the packet; and user data".

In claim 26 line 2, " Internet Protocol " should be ---internet protocol---.

Claims 22-27 and 29 are not examined since they are dependent from claims that have been canceled.

***Claim Rejections - 35 U.S.C. § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which form the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 21 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsube et al. (U.S. Patent 5,930,259) in view of Norman et al. (U.S. Patent 6,049,533).

For claims 21 and 28, Katsube et al. disclose packet transmission node device realizing packet transfer scheme and control information transfer scheme using multiple virtual connections, comprising the steps of:

creating the IP packet comprising:

a virtual Internet protocol address corresponding to a plurality of physical end nodes served by an access point (figure 2, col.5 line 51 to col. 6 line 3); and

a data field comprising:

a destination identification corresponding to one of the physical end nodes of the plurality of physical end nodes that is the destination for the packet and user data (col.6 lines 6-18);

transmitting, by the access point, the IP packet (figure 2, col. 6 lines 4-39);

decoding, by the plurality of physical end nodes, the data field of the IP packet (col. 6 lines 57-66); and

determining by each of the plurality of physical end nodes whether it is the destination for the IP packet (col. 6 lines 57-66). In claim 28, Katsube et al. disclose further a first plurality of physical end nodes communicating with the first access point via the wireless link, sharing a first virtual internet protocol and having separate identifications (figure 2, col. 5 line 51 to col. 6 line 3).

Katsube et al. do not disclose sending the IP packet over the RF network to the access point. Norman et al. from the same or similar field of endeavor teach sending the IP packet over the RF network to the access point (col. 18 lines 3-5). Norman et al. disclose further in claim 28, a wired network and a first

access point connected to a wired network and operable for communication via a wireless link (figure 1A, col. 1 lines 35-45).

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention to use the combined network communication system with information rerouting capabilities as taught by Norman et al. in disclose packet transmission node device realizing packet transfer scheme and control information transfer scheme using multiple virtual connections of Katsube et al. The motivation for using the combined network communication system with information rerouting capabilities as taught by Norman et al. in disclose packet transmission node device realizing packet transfer scheme and control information transfer scheme using multiple virtual connections of Katsube et al. being that it determines whether an acknowledgement packet is received via the RF section 78 from the selected access point 42 (col. 18 lines 5-7).

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,930,259 to Katsube et al, discloses Packet Transmission Node Device Realizing Packet Transfer Scheme And Control Information Transfer Scheme Using Multiple Virtual Connections.

U.S. Patent 6,324,177 B1 to Howes et al, discloses Method And Apparatus For Managing Connections Based On A Client IP Address.

U.S. Patent 6,061,349 to Coile et al, discloses System And Method For Implementing Multiple IP Addresses On Multiple Ports.

*Response to Arguments*

5. Applicant's arguments filed on September 24, 2001 have been considered but are moot in view of the new ground(s) of rejection.

*Contact Information*

6. Any response to this action should be mailed to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231
7. Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).
8. Any inquiry concerning this communication or early communications should be directed to Toan Nguyen whose telephone number is (703) 305-0140. He can be reached Monday through Friday from 7:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Chau Nguyen, can be reached at (703) 308-5340. The fax phone number for this Group is (703)-872-9314.

Any inquiry of a general nature or relating to the status of this application should be direct to the Group receptionist whose telephone number is (703) 305-9600.

TN

T.N.



DANG TON  
PRIMARY EXAMINER